

## REMARKS

### 1. Status of Claims

Claims 11-15, 17 -23 and 31 are pending in the application.

Claims 1-10 and 25 were canceled by the applicants.

Claims 16, 24-30 and 32-33 were cancelled by the examiner, as shown in the examiner's amendment mailed March 4, 2004.

This amendment amends claim 31 to introduce a semicolon omitted from the examiner's amendment.

No new matter has been introduced.

### 2. Summary of Telephone Interview

Examiner Hu is thanked for the courtesy extended to the applicants representative Irina S. Zemel during a telephone interview on January 30, 2004. During the telephone call initiated by the examiner, Examiner Hu re-instated the election of species requirement between a semiconductor layer formed of a group-II metal oxide and a semiconductor layer formed of group III nitrides. Examiner Hu proposed allowance of all claims restricted to semiconductors formed from a group-II metal oxide species. The applicants agreed. Examiner Hu then entered an examiners amendment limiting claim 31 to a semiconductor layer formed from a material containing a group-II metal oxide and canceling claims 16 and 24-30.

The election requirement between a semiconductor layer formed of a group-II metal oxide and a semiconductor layer formed of material selected from the group consisting of GaN, AlN, InGaN and AlInN (group III nitrides) was imposed by the examiner in the office action dated February 25, 2003. The applicants traversed this election of species requirement in their reply dated March 25, 2003. Examiner Hu withdrew the election of species requirement in the office action mailed June 12, 2003. Therefore, the election of species requirement imposed by the examiner during the telephone interview on January 30, 2003 is FINAL, because this requirement was a reinstatement of a previously imposed requirement. MPEP 821.01.

Should the examiner have any questions, he is urged to contact the undersigned applicants' representative at 703-415-0012 at extension 24.

Respectfully Submitted,

4-1-2004

Date

Irina Zemel

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